

**NEW JERSEY MEADOWLANDS COMMISSION**  
**AGENDA**

DATE: March 26, 2014  
TIME: 10:00 a.m.  
PLACE: Lyndhurst, New Jersey  
RE: MONTHLY MEETING

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1. Pledge of Allegiance
2. Sunshine Law Statement
3. Roll Call
4. REVIEW OF MINUTES – February 26, 2014
5. PUBLIC PARTICIPATION ON RESOLUTIONS
6. SITE SUITABILITY

Resolution No. 14-13	Consideration of a Resolution Concerning a Site Suitability Recommendation for One Residential Development on Block 227, Lot 4.03 and 4.04, in the Town of Secaucus (File #12-528, Hartz CC/Carpet Center Residential Development)
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7. REPORTS
  - A. Commissioners
  - B. Executive Director
  - C. Directors
  - D. HMMC Executive Director

**NEW JERSEY MEADOWLANDS COMMISSION**  
**AGENDA**

MONTHLY MEETING

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8. NEW BUSINESS

9. PUBLIC PARTICIPATION

10. CLOSED SESSION

- A. Adopt Resolution No. 14-14 to hold Closed Session.
- B. Adjournment to Closed Session. The Commission Reserves the Right to Reconvene into Public Session, if necessary, to take Action on Closed Session Items.

**PLEASE CONTACT THE NJMC OFFICE (201-460-1700) PRIOR TO**  
**MEETING IF SPECIAL REQUIREMENTS ARE NEEDED UNDER ADA**

## NEW JERSEY MEADOWLANDS COMMISSION

DATE: February 26, 2014  
TIME: 10:00 a.m.  
PLACE: Lyndhurst, NJ  
RE: MONTHLY MEETING MINUTES

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### COMMISSIONERS PRESENT:

Paul Macchia, Acting Chairman  
Jay C. Nadel  
Mauro DeGennaro  
James V. Bocchino  
Quirico (via phone)  
Robert Dowd

### STAFF PRESENT:

Marcia Karrow, Executive Director  
Bernard Nangle, Deputy Executive Director  
Christine Sanz, Chief Operating Officer and Chief Counsel  
Sara Sundell, Director Land Use Management  
Thomas Marturano, Director of Natural Resources  
Adam Levy, Director of Legal Affairs/Chief of  
Renewable Energy Project Development  
Francisco Artigas, Director of MERI  
Amy Herbold, Assistant Counsel to the Governor  
Maurice Griffin, DAG  
Lynn Johnson, Executive Assistant

1. Pledge of Allegiance
2. Executive Director Karrow read the Notice of Meeting required under the Sunshine Law.
3. Roll Call
4. REVIEW OF MINUTES

Minutes of the January 27, 2014 open session were moved by Commissioner Bocchino, seconded by Commissioner DeGennaro and carried with all in favor.

5. PUBLIC PARTICIPATION ON RESOLUTIONS -
  - Lonnie Bedell, South Hackensack resident spoke on Resolution 14-12.
  - Mayor Dressel, HMMC spoke on Master Plan status

6. VARIANCE

Resolution No. 14-08– Resolution issuing a decision on the Use Variance and Bulk Variance application submitted as part of File No. 11-244, WSMP/280 Flanagan-Billboard Block 132, Lot 7.01, in the Town of Secaucus.

Motion to adopt the resolution was made by Commissioner Dowd, seconded by Commissioner Bocchino and carried with Commission Nadel recusing.

Resolution No. 14-09– Resolution issuing a decision on the Variance application submitted as part of File No. 13-152, Gebritt Associates/Billboard & Variance Block 6202, Lot 9, in the City of Jersey City.

Motion to adopt the resolution was made by Commissioner Dowd, seconded by Commissioner Bocchino and carried with Commission Nadel recussing.

7. SITE SUITABILITY

Resolution No. 14-10– Resolution issuing a decision on the Suitability Recommendation as required by the *NJMC Interim Policies Governing Affordable Housing Development in the Meadowlands District*, File No. 13-801, Hess/New Residential Development & Variance, Block 101, Lot 8 in the Town of Secaucus.

Motion to adopt the resolution was made by Commissioner Nadel, seconded by Commissioner DeGennaro and unanimously carried.

Resolution No. 14-11– Resolution issuing a decision on the Suitability Recommendation as required by the *NJMC Interim Policies Governing Affordable Housing Development in the Meadowlands District*, File No. 14-018, Wacoal America/ Addition & Variance, Block 227, Lot 2 in the Town of Lyndhurst.

Motion to adopt the resolution was made by Commissioner DeGennaro, seconded by Commissioner Nadel and unanimously carried.

8. MEADOWLANDS ENVIRONMENTAL  
RESEARCH INSTITUTE

Resolution No. 14-12– Resolution to acquire LiDAR for the Hackensack Meadowlands District.

Motion to adopt the resolution was made by Commissioner DeGennaro, seconded by Commissioner Dowd and unanimously carried.

9. REPORTS -

Executive Director Karrow announced the the new flyway gallery exhibit titled, NJIT Design Studio, opens on March 6. The Exhibit features NJIT students' renderings portraying the conceptual transformation of a former trash facility in the Meadowlands into an aviation museum.

Executive Director Karrow proudly announced that NJMC Meadowlands Adaptive Signal System for Traffic Reduction (MASSTR) was named the 2013 project of the year by the Institute of Transportation Engineers, Metropolitan Section of New York and New Jersey. Executive Director Karrow recognized staff of the transportation group: Dave Liebgold, the chief of transportation; Hong Yuan, senior engineer; Leo Almanzar, senior engineer; and Olga Garcia, transportation engineer.

10. NEW BUSINESS - None11. PUBLIC PARTICIPTION -

- Warren Vincentz, Ridgefield Councilman

12. CLOSED SESSION - None

Motion to adjourn the meeting was made by Commissioner Bocchino, seconded by Commissioner Nadel with all in favor.

  
 MARCIA A. KARROW, SECRETARY

RESOLUTION#	14-08	14-09	14-10	14-11	14-12
Acting Chairman Macchia	Y	Y	Y	Y	Y
Comm. Bocchino	Y	Y	Y	Y	Y
Comm. DeGennaro	Y	Y	Y	Y	Y
Comm. Nadel	R	R	Y	Y	Y
Comm. Quirico (via phone)	Y	Y	Y	Y	Y
Comm. Cameron	--	--	--	--	--
Robert J. Dowd	Y	Y	Y	Y	Y

Y = Yes  
 R = Recuse N = No  
 -- = Absent  
 A = Abstain

**RESOLUTION ISSUING A DECISION ON THE  
SUITABILITY RECOMMENDATION AS REQUIRED BY THE  
NJMC INTERIM POLICIES GOVERNING AFFORDABLE HOUSING  
DEVELOPMENT IN THE MEADOWLANDS DISTRICT  
FILE NO. 12-528, HARTZ CC/CARPET CENTER RESIDENTIAL DEVELOPMENT  
BLOCK 227, LOTS 4.03 and 4.04  
IN THE TOWN OF SECAUCUS**

**WHEREAS**, in a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing; and

**WHEREAS**, on July 25, 2007, the Commission adopted Resolution No. 07-68, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing;" and

**WHEREAS**, on May 6, 2008, COAH adopted new rules, which became effective upon publication in the New Jersey Register on June 2, 2008 and, in addition, adopted new rules on September 22, 2008, which became effective on October 20, 2008; and

**WHEREAS**, on July 17, 2008, P.L. 2008, Chapter 46 became law, revising various parts of the statutory law concerning affordable housing; and

**WHEREAS**, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the *Interim Policies Governing Affordable Housing Development in the Meadowlands District*, in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with these regulatory and statutory changes, prior to the implementation of new regulations regarding same; and

**WHEREAS**, the *Interim Policies*, last revised by Resolution No. 11-29 on July 27, 2011, govern all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008 and remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Commission action or court order, whichever occurs first; and

**WHEREAS**, a property owner or applicant may, in addition, request that the Commission evaluate the suitability of a particular site for housing in a zone that does not permit residential dwellings as a principal use in accordance with Subsection V.(a) of the *Interim Policies*; and

**WHEREAS**, the *Interim Policies*, in Subsection VI.(c), permit a developer to request an increase to the maximum permitted density for the zone; and

**WHEREAS**, the *Interim Policies* set forth the criteria for a Review Team, comprised of three NJMC staff members including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use and for any proposed density increase; and

**WHEREAS**, the NJMC has received a Site Suitability application from Hartz Carpet II LP and 100 Park Plaza Drive LLC, regarding the property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, New Jersey; and

**WHEREAS**, the applicant proposes to construct a four-story residential development, with up to 469 units, inclusive of a 20% affordable housing unit set-aside for households of low or moderate-income; and

**WHEREAS**, the Site Suitability application was forwarded to the Review Team for review in accordance with the *Interim Policies*; and

**WHEREAS**, a public hearing was held on October 22, 2013 to receive public comment on the Site Suitability application; and

**WHEREAS**, the Review Team reviewed the comments made at the public hearing from David B. Drumeler, Esq., Town Administrator of Secaucus, who indicated that the Town of Secaucus is supportive of the project and that the Town and the Secaucus Board of Education had each previously passed a resolution supporting the project; and

**WHEREAS**, a suitability review public hearing report, dated January 31, 2014, and attached hereto, has been prepared, indicating the recommendation of the Review Team in this matter; and

**WHEREAS**, the suitability review public hearing report recommends that the subject property is deemed suitable for residential use subject to certain conditions; and

**WHEREAS**, the matter was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on January 31, 2014, and no comments were provided by the HMMC during its 45-day comment period, which ended on March 12, 2014; and

**WHEREAS**, the members of the NJMC have reviewed the suitability review public hearing report and recommendation prepared by the Review Team, regarding the subject property; and

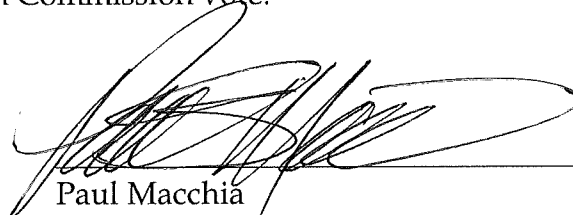
**WHEREAS**, the members of the NJMC concurs with the recommendation of the Review Team; and

WHEREAS, the NJMC hereby determines that the subject property is deemed suitable for residential use.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the subject property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, is deemed suitable for residential use subject to the following conditions:


1. The developer shall provide the number of affordable units as required by law.
2. To ensure a successful mixed-use community, the developer shall provide improvements, both within the subject residential development and within the rest of the Harmon Meadow complex, for safe pedestrian circulation and access from the proposed residential development to the rest of the Harmon Meadow complex, including provisions for accessibility.
3. The developer shall repair and maintain the existing natural pathways located within the wetland preservation area on the subject property for the benefit of the residents and the general public.

The foregoing was adopted on Commission vote.



Paul Macchia  
Acting Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 26, 2014.



Marcia A. Karrow  
Secretary

Resolution No. 14-13

☐ Motion ☐ Second ☐ Roll Call



# Memorandum



## New Jersey Meadowlands Commission

To: NJMC Commissioners and Marcia Karrow, Executive Director

From: Sara J. Sundell Date: March 26, 2014

Subject: Site Suitability Recommendation for 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04 in the Town of Secaucus (NJMC File No. 12-528)

In a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing. The Commission followed up by adopting Resolution No. 07-68, on July 25, 2007, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing. Thereafter, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the *"Interim Policies Governing Affordable Housing Development in the Meadowlands District,"* which was last revised by Resolution No. 11-29 on July 27, 2011, in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with regulatory and statutory changes regarding affordable housing, prior to the implementation of new regulations regarding same.

The Interim Policies apply to all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008, and will remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the Interim Policies are withdrawn or rescinded by Commission action or court order, whichever occurs first. The Interim Policies set forth the criteria for a Review Team, comprised of three NJMC staff members, including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use.

A Site Suitability application has been filed with the NJMC by David J. Hughes, Esq., on behalf of Hartz Carpet II LP and 100 Park Plaza Drive LLC, regarding the property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey. This request for a Site Suitability Determination is sought in connection with the applicant's proposal to construct a four-story residential development, with up to 469 units, inclusive of a 20% affordable housing unit set-aside, on the subject premises. The subject property is located in the Regional Commercial zone, which does not permit residential uses, thus requiring a public hearing in accordance with Section V(a)2 of the *Interim Policies Governing Affordable Housing Development in the Meadowlands District*.

The matter was forwarded to the Review Team for review of the proposed development in accordance with the Interim Policies. A public hearing on the matter was held on October 22, 2013. The Review Team also reviewed the comments made at the public hearing from David B. Drumeler, Esq., Town Administrator of Secaucus, who indicated that the Town of Secaucus is supportive of the project and that the Town and the Secaucus Board of Education had each previously passed a resolution supporting the project. A suitability review public hearing report, dated January 31, 2014, has been prepared, indicating that the Review Team recommends that the subject property be deemed suitable for residential use.

On January 31, 2014, the matter was forwarded to the HMMC for its consideration. No comments were provided by the HMMC during its 45-day comment period, which ended on March 12, 2014.

At this time, the staff is recommending that the members of the NJMC concur with the suitability recommendation prepared by the Review Team, which recommends that the subject property be deemed suitable for residential use subject to the conditions listed in the suitability review public hearing report.



## Suitability Review Public Hearing Report

File No. 12-528

*Hartz CC/Carpet Center Residential Development*

*Block 227, Lots 4.03 and 4.04,*

*Town of Secaucus, New Jersey*

*January 31, 2014*

A Site Suitability application has been filed with the NJMC by David J. Hughes on behalf of Hartz Carpet II LP and 100 Park Plaza Drive LLC, regarding the property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey. This request for a Site Suitability Determination is sought in connection with the applicant's proposal to construct a 469-unit residential development, inclusive of 94 affordable units, on the subject premises. This property is the subject of a developer's agreement between 100 Park Plaza Drive, LLC and the Town of Secaucus, signed in July 2012, expressing the municipality's support of the residential project and outlining certain project impact fees, specifically a \$3,200.00 per unit fee to be paid by the developer to the Town for each market-rate unit constructed and \$97,000.00 for the Town's education program. The subject property is currently located in the Regional Commercial zone, which does not permit residential uses, thus requiring a public hearing in accordance with Section V(a)2 of the "Interim Policies Governing Affordable Housing Development in the Meadowlands District."

The site characteristics of the property have been evaluated in accordance with the "Interim Policies," which were adopted by the NJMC on July 24, 2008, and last revised on July 27, 2011.

### Existing site conditions

The property in question is 594,071 square feet in area, or 13.638 acres, and fronts on Park Plaza Drive in the Town of Secaucus. The site contains two buildings, a two-story 164,000 square foot structure and a three-story 170,010 square foot structure, for a combined total of 334,010 square feet in area. Constructed in the mid-1980's as a carpet warehouse, the existing buildings have been occupied until very recently, when the property owner chose not to extend leases to the current tenants. The northern end of the subject property, comprising approximately one-third of the entirety of the property, is comprised of wetlands, open water and a portion of the Cromackill Creek and has previously been preserved as wetlands and open space by maps filed in Hudson County. Photos of the site and the neighboring areas appear in Appendix A.

The property located to the north and east of the subject site is a 137.6-acre property designated as Block 227, Lot 9. The Cromackill Creek also traverses Lot 9, as well as the subject property. North of the creek, Lot 9 is zoned



Environmental Conservation and south of the creek, it is zoned Regional Commercial. The physical characteristics of Lot 9 vary between wetlands and uplands. The predominant uplands portion of Lot 9 is situated within the Regional Commercial zone. The majority of the Environmental Conservation portion of Lot 9 is comprised of wetlands, open water and a portion of the Cromackill Creek.

The properties immediately adjacent to the west, Block 227, Lots 4.05 and 4.061, comprise a 35-acre tract that includes a Wal-Mart, Sam's Club and a 1,575 space parking field designed to accommodate the big box stores. A 50-foot wide drainage easement, containing an open-channel drainage ditch, extends along the western property line of the subject site.

Access to the site is obtained along the southern property line from Park Plaza Drive, an 80-foot wide public right-of-way. Across Park Plaza Drive is the Meadowlands Exposition Center and a daycare center. The majority of the Harmon Meadow complex is located to the south of the subject property. Harmon Meadow is a major mixed-use commercial complex and includes over 2 million square feet of office space, 13 restaurants, 14 movie theater screens and 7 operating hotels, supported by over 11,000 parking stalls in expansive surface lots and parking decks.

#### Public Hearing

A public hearing was held in the Office of the Commission on Tuesday, October 22, 2013. Notice was given to the public and all interested parties as required by law. The public notice was published in The Jersey Journal and the Secaucus Home News newspapers. No written objections were submitted to the Division of Land Use Management. All information submitted to the Division of Land Use Management relative to this application was made part of the record of this recommendation. This information includes the *Site Suitability Report for a Proposed Residential Community to be Constructed at Park Place, Secaucus Hudson County, New Jersey*, dated July 31, 2013, (see Appendix B), and the *Project Impact Assessment*, dated July 31, 2013, both prepared by Steven M. Lydon, P.P., AICP, Burgis Associates, Inc.

NJMC staff in attendance at the public hearing were Sara Sundell, Director of Land Use Management and Chief Engineer, Sharon Mascaro, Deputy Director of Land Use Management and Deputy Chief Engineer, Mark Skerbetz, P.P., AICP, Senior Planner, and Mia Petrou, P.P., AICP, Senior Planner.



#### Exhibits

The following is a list of the exhibits submitted at the public hearing by the applicant to the NJMC regarding the site suitability request:

<u>Number</u>	<u>Description</u>
A-1	Dimensional Site Plan, 100 Park Plaza Drive, Secaucus, New Jersey, Sheet No. C-4, prepared by Dresdner Robbin, printed 7/26/13.
A-2	Conceptual Improvement Plan, prepared by Michael Maris Associates, Inc., dated December 2012.
A-3	<i>Site Suitability Report for a Proposed Residential Community to be Constructed at Park Place, Secaucus, Hudson County, New Jersey</i> , prepared by Burgis Associates, Inc., dated July 31, 2013.
A-4	<i>Project Impact Assessment for a Proposed Residential Building to be Constructed at Park Place, Secaucus, Hudson County, New Jersey</i> , prepared by Burgis Associates, Inc., dated July 31, 2013.
A-5	<i>Traffic Study, Proposed Residential Development, 100 Park Plaza Drive, Secaucus, New Jersey</i> , prepared by Michel Maris Associates, Inc., dated July 2013.
A-6	Resolution of the Board of Education, Town of Secaucus, County of Hudson, State of New Jersey, dated July 3, 2012.
A-7	Developer's Agreement between 100 Park Plaza Drive, LLC and the Town of Secaucus, undated.

#### Testimony

David J. Hughes, Esq., of the firm Horowitz, Rubino & Patton, Esqs., represented Hartz Carpet II and 100 Park Plaza Drive LLC, at the hearing. The following witnesses testified in support of the application:

1. Kristine Kallas, P.E., P.P., Hartz Mountain Industries
2. Michael Maris, Michael Maris Associates, Inc.
3. Steven M. Lydon, P.P., AICP, Burgis Associates, Inc.

Staff findings and recommendations are based on the entire record. A transcript of the public hearing was prepared and transcribed by Darlene Kuksa, Certified Shorthand Reporter and Notary Public of the State of New Jersey.



#### Public Comment

One member of the public commented on the application. David B. Drumeier, Esq., Town Administrator of Secaucus, stated for the record that the Town of Secaucus is supportive of the project and believes that the site is suitable for residential development. He also stated that the Town and the Board of Education passed resolutions supporting this application. Copies of the resolutions were provided and marked as Exhibits A-6 and A-7 (see Appendix C).

#### Site Suitability Criteria

In accordance with Section IV(c)1 of the Interim Policies, the criteria to determine whether a site is suitable for residential use are as follows:

- i. **The site is adjacent to compatible land uses and has access to appropriate streets.**
  - Compatible land uses: The subject property is adjacent to compatible land uses. The site is located within the largest regional commercial area in the Hackensack Meadowland District. Adjacent and near-by properties within Harmon Meadow contain large-scale retail and commercial facilities in a vibrant mixed-use development, which will offer residents a large variety of shopping, entertainment, life-style and employment options.
  - While some of the uses in the Harmon Meadow and Mill Creek developments have hours of operation and/or deliveries that are not conducive to a residential neighborhood, the location of the proposed residential structures is set back from these types of uses. For example, while deliveries to the adjacent big box stores (Wal-Mart and Sam's Club) often occur in the late night or early morning hours, the loading docks are located on the far side of the structures adjacent to the New Jersey Turnpike, allowing the building to act as a buffer to the proposed development to the east. Any noise from the loading facilities would likely be minimized by the typical highway noise.
  - The adjacent property to the north, a wetlands portion of Block 227, Lot 9, located in the Environmental Conservation zone, is unlikely to be developed, thus providing the residential development with a green open space area. The portion of Lot 9 that is located directly east of the proposed residential building on the subject site is located in the Regional
- ii. **The site has access to water and sewer infrastructure with sufficient capacity.**
  - A "will-serve" letter, dated October 15, 2013, was provided by United Water New Jersey regarding the availability of water service to the subject site.
  - The Secaucus Municipal Utilities Authority (SMUA) provided a letter, dated October 17, 2013, stating that there are currently no flow restrictions for the SMUA's treatment and collection systems.
  - Mass transit: Current bus service provided to and from the Harmon Meadow complex is provided by New Jersey Transit. There are currently three NJ Transit bus stops in Harmon Meadow, with the closest to the subject site located in the parking lot of the Wal-Mart/Sam's Club. Buses picking up in Harmon Meadow take passengers to Hoboken, by way of Union City and Jersey City; to New York City; and to Newark, by using the bus to Secaucus Transfer Station and rail to Newark Penn Station.



Commercial zone and could be developed by uses permitted by NJMHC regulations, however, any future development on Lot 9 would be subject to a review to determine if that site is suitable for housing.

- A residential development on the subject site could be compatible with the surrounding land uses if the appropriate amenities and pedestrian accommodations within both the subject site and the rest of Harmon Meadow are provided to the residents.
- Street access: The site fronts on Park Plaza Drive, a four lane road which provides perimeter access around the eastern side of the Harmon Meadow commercial development. This road also acts as a division line maintaining a buffer between the retail/commercial center and the proposed residential development. As such, this proposed residential component along the edge of the Harmon Meadow development is somewhat remote from the bustling development within Harmon Meadow proper. And while the existing residential neighborhoods in Secaucus are a significant distance from the subject site, this new residential development could establish a new community within the municipality. Access to the subject site, located off of Park Plaza Drive, is conveniently accommodated by the Hudson County 681 (Paterson Plank Road) bridge over Route 3, connecting the development to downtown Secaucus. Nearby access to Route 3 provides convenient east-west connections to other major transportation routes such as Routes 17 and 495.
- Mass transit: Current bus service provided to and from the Harmon Meadow complex is provided by New Jersey Transit. There are currently three NJ Transit bus stops in Harmon Meadow, with the closest to the subject site located in the parking lot of the Wal-Mart/Sam's Club. Buses picking up in Harmon Meadow take passengers to Hoboken, by way of Union City and Jersey City; to New York City; and to Newark, by using the bus to Secaucus Transfer Station and rail to Newark Penn Station.



- iii. The site can be developed consistent with the rules of the NJMC.
  - The applicant has not requested any additional relief from the NJMC rules to develop the site with residential uses.
  - The applicant is proposing to demolish the existing structures on the subject property and construct new buildings. All new development is required to conform with NJMC regulations.
- iv. Former and existing land uses, either on the site or in the vicinity, may not expose resident to environmental hazard. Alternatively, the site shall be remediated to NJDEP residential standards as a condition of the Board's approval.
  - There are no evident and/or readily apparent remediation requirements for the subject property.
  - The adjacent property located to the north and east if the subject property appears to contain historic fill resulting in a need for certain remediation efforts. However, there is no evidence that the fill on the adjacent site was also placed on the subject property.
  - The site is not listed on the NJDEP Known Contaminated Sites List.
- v. The size, shape, or layout of any existing structure that shall remain, or other physical limitation(s) not listed previously, do not preclude residential use.
  - The applicant is proposing to demolish the existing structures on the subject property and construct new buildings. All new structures are required to meet the NJMC regulations.
- vi. The site is suitable for residential use pursuant to sound planning principles.
  - The subject property is located within the Harmon Meadow complex which has been previously evaluated on five (5) separate occasions with respect to the suitability of particular sites for housing development. In all previous instances, the evaluated sites have been determined to be unsuitable for housing and the proposed non-residential structures have been issued approval for construction. The subject site has several significant differences in comparison with the five sites previously



- evaluated and with the Harmon Meadow complex as a whole.
- Of the properties determined to be unsuitable for housing, several were located within the heart of the Harmon Meadow complex. This "core" of the complex is comprised of numerous office buildings, hotels, retail and restaurant facilities and parking garages, all tightly packed together. The current building arrangement provides good walkability between uses, but results in an active, noisy complex, not conducive to residential use. In contrast, the subject site is located along the periphery of the Harmon Meadow complex. With wetlands along one property line, undeveloped/vacant property along another, and a parking lot along the third side, the subject site should have the benefit of less activity and noise than the rest of the Harmon Meadow complex. A proposed residential development providing the requisite affordable units at this particular location would help remedy the scarcity of affordable housing in the region in a location proximate to employment centers.
  - A description and comparison of the properties associated with previous applications deemed to be located on properties unsuitable for residential use as follows:
    - 1) The adjacent property, located at Block 227, Lot 4.05, was determined to be unsuitable for housing at the time when the Wal-Mart store was proposing a building addition to incorporate a grocery component into the existing store (File 07-571; Hartz/Wal-Mart Addition, dated 11/28/2007). Located to the west of the subject site, the Wal-Mart property is fully built-out with two big-box retail stores, and their associated parking, loading, access roads and drainage facilities. Locating housing on an active retail site was determined to be inappropriate for the construction of residential units pursuant to sound planning principles. In the instant application, the subject property is separated from the parking field of the Wal-Mart and Sam's Club retail complex by a drainage ditch and considerable overgrowth including mature trees and vegetation. With the building structures located on the far side of the lot from the subject property, the noise and activity associated with a big-box retail store is diminished before reaching the location of the proposed retail complex.
    - 2) The adjacent property, designated as Block 227, Lot 4.061 (formerly Lot



4.06), was also determined to be unsuitable for residential development in a separate Site Suitability report (File 08-009; Hartz/Residence Inn Hotel, dated 7/14/2008). This property contains an extension of the Wal-Mart and Sam's Club parking lot and is located directly west of the subject site. Its proximity to the two big-box retail stores on the adjacent lot rendered this property unsuitable for residential use. In the instant application, the subject property is separated from the parking field of the Wal-Mart and Sam's Club retail complex by a drainage ditch and considerable overgrowth including mature trees and vegetation.

3) Also in the general vicinity of the subject site is the property located at Block 227.01, Lot 3, which was determined to be unsuitable for residential development pursuant to sound planning principles in a separate Site Suitability report (File 12-307; Hartz HMP/450 Harmon Meadow Blvd - Hotel/Restaurant Dev., dated 7/25/2012). This property is surrounded on three sides by active roadways, including two of the main roadways within the Harmon Meadow complex and the New Jersey Turnpike, which would present challenges with respect to the safety of residents. This site is in closer proximity to the center of activity at Harmon Meadow, with its large-plaza, multi-story office buildings, hotels and retail uses, and a fitness club, resulting in the potential increase of traffic and pedestrian noise and from patrons and deliveries in the early morning and/or late night hours. In contrast, the site in the instant application is set back from the core of the Harmon Meadow complex, resulting in a reduction of noise and traffic potentially experienced at the subject property.

4) The other two applications for development in the Harmon Meadow complex that resulted in unsuitable determinations were for Block 227, Lot 5.03 (File 08-176 Hartz HMP/New 14-Plex Theater, dated 4/23/2008), and Block 227, Lot 5.03.02 (File 11-245; Hartz HMP/Concord Secaucus Hotel Assoc., dated 6/3/2011). The lots for these two developments, one for a movie theater and the other for a hotel in the location of the former movie theater, are located on the far side of the Harmon Meadow complex from the subject property in the instant application. As these sites are directly within the dynamic and heavily-trafficked heart of Harmon Meadow, it was determined that the areas are unsuitable for residential use. As previously stated, the subject property is set back from the active center of the Harmon



Meadow complex and abuts an area of wetlands that is unlikely to ever be developed.

- More so than any other site within Harmon Meadow, the subject property is of sufficient size to provide a critical residential mass needed to build a community. Amenities for the residents could be provided within the development of the buildings on the subject lot, which would supplement the variety of uses available to the public in the Harmon Meadow complex, such as health clubs, movie theaters and restaurants. The applicant has proposed community facilities such as a pool, dog run and playground to supplement the natural walking path that extends through the conservation area located in the northern portion of the site. However, due to the intense commercial nature of adjoining uses and the relative isolation of this site in relation to these uses, improved pedestrian connections, both within the site and within the rest of the Harmon Meadow complex, to Harmon Meadow activities should be provided to ensure public safety for both pedestrians and motorists. Examples include traffic calming measures paired with prominent pedestrian features such as raised crosswalks with decorative materials, lighting, and signage clearly identifying the pedestrian realm.

- Mass transit opportunities exist and could be expanded in order to provide future residents with transportation options beyond the use of personal automobiles. New Jersey Transit currently runs a number of bus routes through the development and there is a shuttle service from Harmon Meadow to the Secaucus Junction train station. However, the expansion of transit options in Harmon Meadow should be explored in order to serve the needs of future residents, whose transit needs would likely differ from the existing schedules serving commercial development.
- Providing an inclusionary residential development in Harmon Meadow can be considered to be beneficial to the municipality, as it will provide more affordable housing units for low- and moderate-income persons, couples, and families. The applicant is required by the "Interim Policies" to provide affordable units in accordance with current COAH regulations, which, at the time of writing of this recommendation, equals 20 percent of the total number of constructed units.



## Recommendation

The subject site satisfies all of the above criteria as per Section IV(c)1 of the "Interim Policies." As a result, the subject property, known as 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, is recommended to be deemed suitable for residential use subject to the following conditions recommended by the Review Team:

1. The developer shall provide the number of affordable units as required by law.
2. To ensure a successful mixed-use community, the developer shall provide improvements both within the subject residential development and within the rest of the Harmon Meadow complex, for safe pedestrian circulation and access from the proposed residential development to the rest of the Harmon Meadow complex, including provisions for accessibility.
3. The developer shall repair and maintain the existing natural pathways located within the wetland preservation area on the subject property for the benefit of the residents and the general public.

Failure by any developer(s) to abide by the conditions herein shall render this site suitability determination null and void.



## Appendix A

### *Photos / aerials of subject property*

- Figure 1: Study Area, Block 227, Lots 4.03 & 4.04
- Figure 2: Study Area: Existing Zoning, Block 227, Lots 4.03 & 4.04

## Appendix B

### *Planners report*

- Site Suitability Report for a Proposed Residential Community to be Constructed at Park Place, Secaucus, Hudson County, New Jersey, prepared by Burgis Associates, Inc., dated July 31, 2013.

## Appendix C

### *Additional Documentation*

- Developer's Agreement between 100 Park Plaza Drive, LLC and the Town of Secaucus, dated July 2013.
- Town of Secaucus Resolution Authorizing Execution of a Developer's Agreement between 100 Park Place Drive, L.L.C. and the Town of Secaucus, dated July 3, 2012
- Resolution of the Board of Education, Town of Secaucus, County of Hudson, State of New Jersey, dated July 3, 2012
- Project Impact Assessment for a Proposed Residential Building to be Constructed at Park Place, Secaucus, Hudson County, New Jersey, prepared by Burgis Associates, Inc., dated July 31, 2013, last revised January 10, 2014.



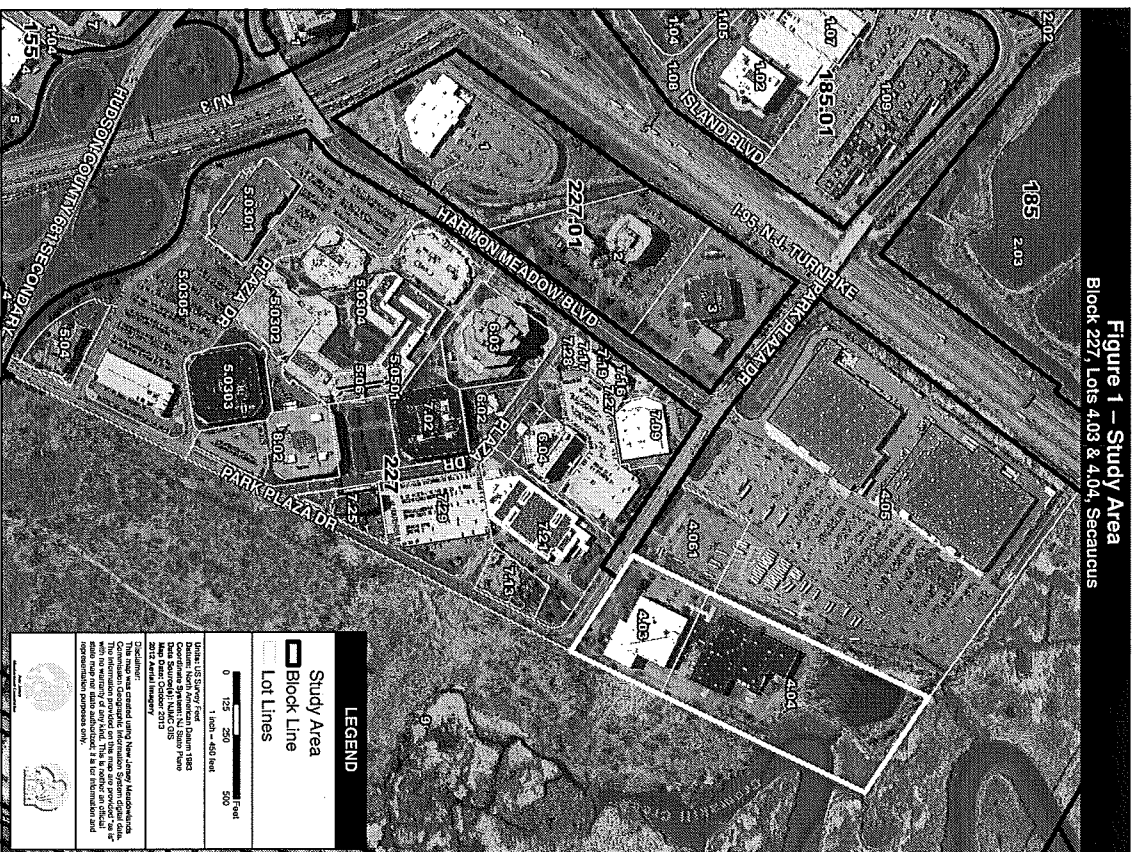


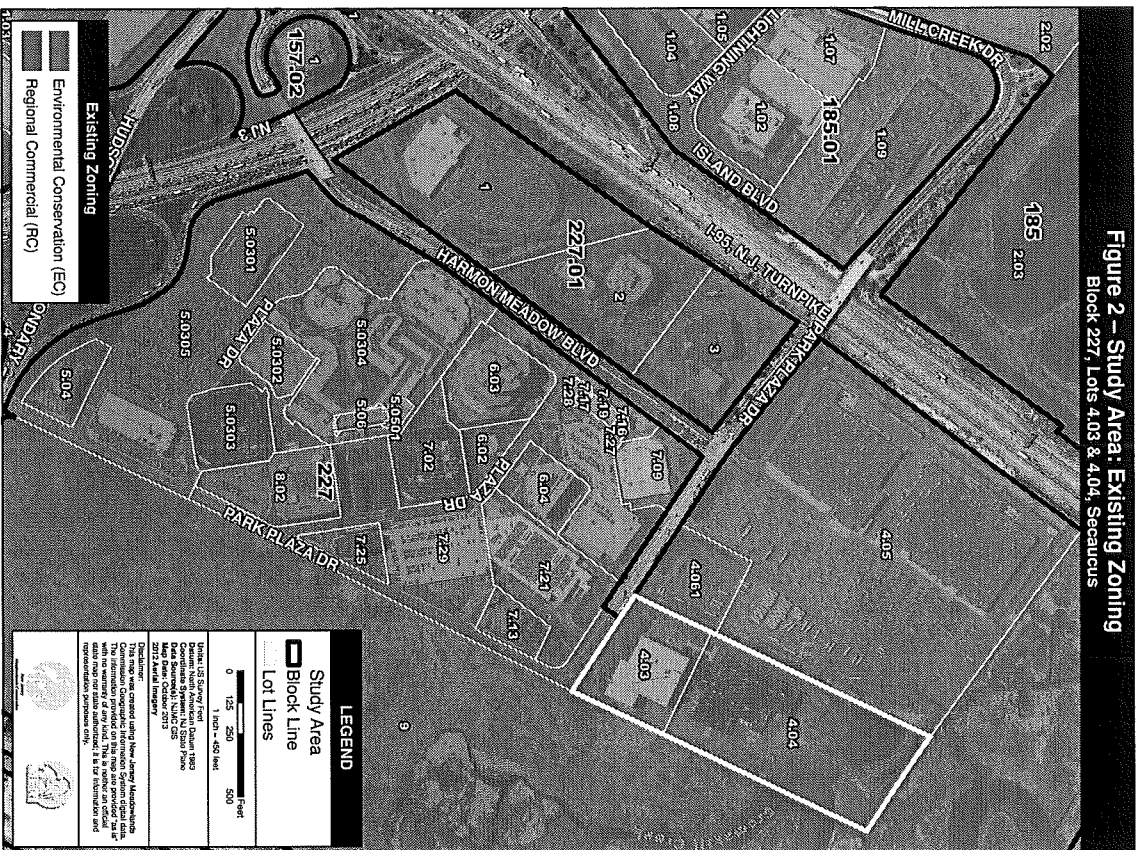
## Appendix A

*Photos / aerials of subject property*

- Figure 1: Study Area, Block 227, Lots 4.03 & 4.04
- Figure 2: Study Area: Existing Zoning, Block 227, Lots 4.03 & 4.04

**Figure 1 – Study Area**  
Block 227, Lots 4.03 & 4.04, Secaucus





## Appendix B

### Planner's report

- Site Suitability Report for a Proposed Residential Community to be Constructed at Park Place, Secaucus, Hudson County, New Jersey, prepared by Burgis Associates, Inc., dated July 31, 2013.



COMMUNITY PLANNING  
LAND DEVELOPMENT AND DESIGN  
LANDSCAPE ARCHITECTURE

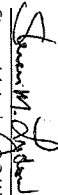
PRINCIPALS  
Joseph H. Burgis, P.E., AICP  
Edward S. Smith, Jr., P.E., L.A., ASLA

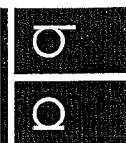
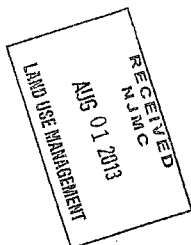
B U R G I S  
A S S O C I A T E S, I N C

SITE SUITABILITY REPORT FOR A PROPOSED  
RESIDENTIAL COMMUNITY TO BE CONSTRUCTED  
AT PARK PLACE  
SECAUCUS, HUDSON COUNTY, NEW JERSEY

PREPARED FOR:  
HARTZ MOUNTAIN INDUSTRIES  
BA#: 2557XX

The original document was appropriately signed and sealed on July 31, 2013 in accordance with Chapter 41-1.2 and 1.3 of Title 13 of the State Board of Professional Planners.

  
Steven M. Lydon, P.P./AICP  
Professional Planner #3972



COMMUNITY PLANNING  
LAND DEVELOPMENT AND DESIGN  
LANDSCAPE ARCHITECTURE

PRINCIPALS  
Joseph H. Burgis, P.E., AICP  
Edward S. Smith, Jr., P.E., L.A., ASLA

B U R G I S  
A S S O C I A T E S, I N C

## Introduction

Burgis Associates, Inc. has been retained by 100 Park Plaza Drive, LLC ("Developer"), to prepare a site suitability report to determine the potential suitability of a site for the development of housing. The particular property in question is located within the boundaries of the New Jersey Meadowlands District ("District"). More specifically, the property in question is Block 227 Lots 4.03 and 4.04 ("PQ") as designated on the Town of Secaucus tax maps. The PQ is located within the Harmon Meadow Plaza Mixed-Use Development (Harmon Meadow).

This analysis is required by the New Jersey Meadowlands Commission ("NJMC") pursuant to the "Interim Policies Governing Affordable Housing Development in the Meadowlands District" ("Interim Policies"). These policies became effective on July 24, 2008 and were most recently revised by the Meadowlands Commission on July 27, 2011.

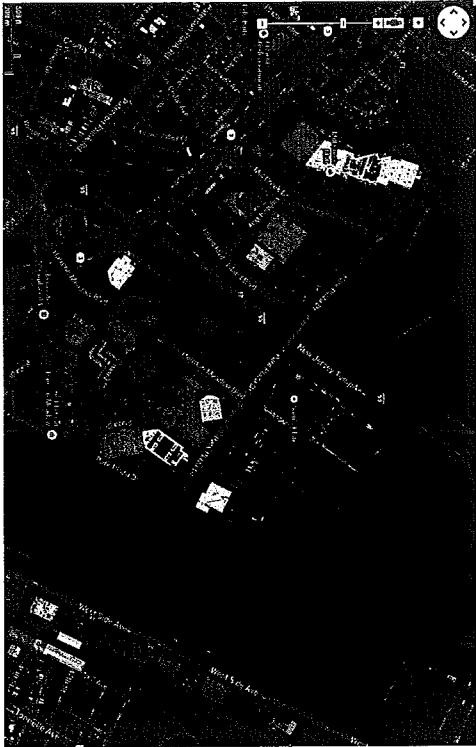
Harmon Meadow is strategically located along both the east and west sides of the New Jersey Turnpike at the Turnpike's interchange with State Highway Route 3 and Paterson Plank Road. The New Jersey Turnpike, State Highway Route 3 and Paterson Plank Road are important components of the regional highway system providing access to many of the region's employment, housing, cultural and educational opportunities.

The PQ consists of 594,071 square feet or 13.638 acres of lot area. Of the 13.638 acres, approximately 9.2 acres are developable. The balance of the site provides a unique on-site passive recreation opportunity including a walkway and natural wetlands area. Currently the PQ is developed with two existing non-residential buildings that are linked together.

- The northern building is two stories and 34.5 feet in height, containing 164,000 square feet.
- The southern building is three stories and 62.5 feet high, containing 170,010 square feet. The buildings that have been constructed on Block 227 Lots 4.03 and 4.04 have a combined building area of 334,010 square feet.

Below is a photo of the PQ as it is currently developed. Also visible in the photo below is the large area of wetlands surrounding the site to both the north and east.

Below is a photo depicting the site in a regional setting with the New Jersey Turnpike to the west and the Cromack Creek to the east or left.



Source: Google

## Findings

Upon completion of a detailed review, it has been determined the PQ complies with each of the six NIMC criteria necessary to be designated as a 'suitable site' for housing development as outlined by the NIMC in its 'Interim Policies Governing Affordable Housing Development in the Meadowlands District,' most recently revised July 27, 2011.

The balance of this report first provides the relevant details and then offers an analysis of these details upon which we are able to present the above finding.

## Property Description and Analysis

### 1. Site Location and Acreage.

The PQ is the most remote and isolated parcel in Harmon Meadow, located in the north easternmost corner of Harmon Meadow with direct access from Plaza Drive, the perimeter roadway around Harmon Meadow Plaza. The PQ is basically rectangular in shape having an area of 13.63 acres with 455 feet of frontage along Park Place.

The PQ is currently developed with two multi-story buildings and 275 parking spaces that were constructed during the mid-1980s. These buildings have been used for carpet warehouse, wholesale purposes and office uses consistent with the prior NIMC approvals granted on the subject property. Upon approval of the proposed development the existing buildings will be demolished in order to accommodate the proposed residential development.

One of the major factors making this site unique among all others in Harmon Meadow is the on-site and adjacent spaces. The northern portion of the PQ is undeveloped and retains its natural attributes. This section of the site lies between a drainage area on the west and the Cromack Creek estuary wetlands on the north and east. The Cromack Creek is a major tributary stream to the Hackensack River. These watercourses come together and become one north of the site. Much of the northern undeveloped section of the property has been placed in a wetland preservation area. This portion of the site will remain undeveloped except for the existing open space and passive recreational amenities. This open area provides a unique opportunity and on-site amenity for the development.

Unique to any other property within Harmon Meadow, the PQ enjoys open undevelopable wetlands along both the northern and eastern borders. These adjacent properties, as shown on the aerial photo contained in this report, are both Federal and State regulated wetlands. Pursuant to New Jersey Meadowlands Commission Zoning, these properties are located in the EC-Environmental Conservation Zone and as such cannot be developed. This large expanse of open wetlands provides the site with unique vistas and serenity resulting in a special residential environment.

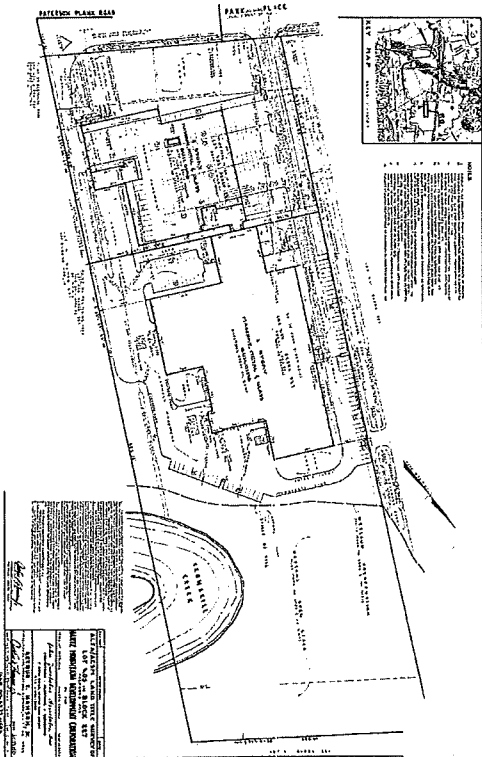
The PQ fronts Plaza Drive, a public roadway eighty (80) feet in width. This road has 4 lanes of travel, two in each direction. A series of street trees border on Park Plaza Drive and serve as a visual buffer of the buildings to the south of Plaza Drive. The PQ enjoys excellent access via two direct access points to Plaza Drive.

While the PQ is located on the periphery of Harmon Meadow Development and as such is remote from much of the daily activity of the commercial development, it enjoys and benefits from all Harmon Meadow amenities. This residential community will have direct and walkable access to full shopping, including groceries in the Wal-Mart/Sam's facility. In addition, as is the benefit of including a residential component in a mixed-use development, residents of the community will have access to multiple restaurants, movie theaters, coffee shops and hopefully some residents will actually work within Harmon Meadow thereby eliminating the need to commute to and from the work environment. In addition, residents of the community will have significant recreational opportunities both on-site, in the northern portion of the site, and with walkable access to the Mill Creek recreation area. Overall, the inclusion of this residential component on this site within Harmon Meadow will truly make Harmon Meadow the full mixed-use community that it was always designed and intended to become.

The developer proposes to demolish the existing buildings and redevelop the PQ as a new residential community consisting of 469 dwellings.

Depicted on the next page is an existing conditions map of the PQ.

A plan depicting the conceptual redevelopment of the site is included in the Appendix of this report.



## 2. Surrounding Land Uses.

Land uses surrounding the PQ are varied. To the east and north of the subject site are located expansive undeveloped wetlands associated with the Cromkill Creek that flows north before emptying into the Hackensack River. These undeveloped wetlands make the site unique in that they will remain open and undeveloped and will provide the PQ with open wetland views and perpetual open space. These adjacent lands are zoned EC-Environmental Conservation and therefore will not be developed. The purpose of the Environmental Conservation zone is:

The Environmental Conservation zone is designed to preserve and enhance the ecological values of wetlands, open water and adjacent uplands within the District. The zone seeks to provide public access to these areas and encourage scientific and educational study with regard to wetland ecology.

In their current state the wetland areas both east and north of the 13± acre PQ are attractive environmental and passive recreational amenities for the future residents of the proposed community. The wetland areas and the creek offer views and potential passive and active recreational opportunities literally right outside the community's door. A paved walking path begins at the edge of pavement north of the building and runs north into the on-site wetland preservation area. This paved walkway may be enhanced and represents an attractive on-site amenity.

Harmon Meadow is a mixed-use development containing a variety of retail, commercial office buildings, eating and drinking establishments as well as indoor commercial recreation uses, hotels and a theater. South of the PQ, on the opposite side of Plaza Drive, are properties and uses that comprise a portion of the Harmon Meadow development including a child care center on the south of Plaza Drive. In addition, parking facilities have been developed on the

south side of Plaza Drive. These parking facilities are ancillary uses to the Meadowlands Exposition Convention Center, a hotel, an office building and the LA Fitness facility.

Immediately west of the PQ is the Wal-Mart/Sam's retail operations which are buffered by a drainage area. The area is containing the drainage canal is heavily vegetated. This vegetation functions as a visual barrier isolating the PQ from the retail uses located to the west.

## 3. NJMHC Master Plan.

The New Jersey Meadowlands Master Plan was adopted by the Meadowlands Commission in January 2004. This master plan presents a cohesive set of planning principles to guide the future development of the Meadowlands District while protecting the environmental resources of the District. Sprawl style development patterns are explicitly rejected in the adopted Master Plan.

### Master Plan Themes

The Meadowlands Master Plan's overarching themes are centered around two interrelated concepts: Smart Growth and Sustainability. The Meadowlands Master Plan contains a Vision Statement. Within this Vision Statement the Commission announces that "New investment and selected redevelopment will be both orderly and environmentally compatible." The Vision Statement continues and states, "This Master Plan incorporates the themes of smart growth and a sustainable course of action by designating certain areas for economic growth, with other areas targeted for environmental enhancement and protection."

The proposed redevelopment of the PQ from warehouse, wholesale and office use to a residential use community complies with and furthers this Vision Statement announcement as the proposed development of the PQ is consistent with the themes of smart growth and sustainability.

### Master Plan Goals

A list of Goals pertaining to Meadowlands District activities have been established and adopted.

As pertains to this site suitability report the applicable Goals are set forth herein:

- o To preserve and enhance wetlands and other valuable natural resources, open space, energy resources, and the historical heritage of the Meadowlands District.
- o To prevent urban sprawl and degradation of the environment through improper use of land;
- o To cultivate a strong sense of place in a desirable visual environment through creative development and design techniques; and
- o To encourage the development of a balanced mix of housing types and costs within the limits of available infrastructure and community facilities of the District's municipalities

The infrastructure necessary to support a residential community including, potable water service, sewer service, adequate roadways with available capacity and multiple public transit opportunities have already been extended to the

site. This is significant as sprawl often follows the outward extension of infrastructure. In this particular case, there is no need to extend growth including infrastructure to the PQ.

#### *Meadowlands Demographic Trends*

Figure 3.2 of the Meadowlands Master Plan reveals that just 1.5% of the 30.4 square mile Meadowlands District is utilized for residential purposes. The Master Plan notes that residential uses in the Meadowlands continue to play a minor role in land use. In addition, vacant land occupies just 1.8% of the District. These figures suggest that the reuse and redevelopment of existing sites such as proposed by this development will be the predominate means additional residential land use will be generated within the Meadowlands District.

Under the description of the District's existing residential housing stock, the Master Plan recognizes that the majority of housing in the District was constructed prior to the 1950's and consists mostly of single- and two-family detached and attached dwellings. Other sections of the Meadowlands Master Plan discuss the tremendous changes that have occurred and continue to occur in the demographic characteristics of the resident population.

Due to an aging resident population and reduced birth rates, the average District household size has declined dramatically since 1970. Both these demographic phenomena suggest that the current needs of the District's resident population may be poorly served by the District's existing housing stock of older detached and attached single-family and two-family dwellings.

In the Housing chapter, Key Conditions section, the Meadowlands Master Plan makes the following conclusion: "The shortage of suitable, affordable housing will likely be an ongoing issue for many residents of northern New Jersey that will continue to drive the cost of housing."

The redevelopment of the PQ in Harmon Meadow will help address the on-going need to supply additional suitable and affordable housing intended to meet the needs of current and future District residents.

#### *Furtherance of Master Plan System Plans*

System plans along with area plans comprise the core of the Meadowlands Master Plan. There are six (6) System Plans, not all of which are relevant to this site suitability report. System 1 addresses the Natural Environment. Strategy 1 under this system is to preserve wide expanses of land for open space, wildlife habitats and recreational opportunities. The proposed redevelopment of this zoning lot of record furthers this strategy, as development activities will be limited to the previously developed portions of the site. The proposed residential community will continue to preserve the wetland areas to the north and east of the PQ. Strategy 2, System 1 is to enhance and capitalize on the Meadowlands' waterways. The proposed residential community is adjacent to the Conaakli Creek. To the extent permitted under current land use and environmental protection regulations, the project sponsors seek to encourage passive utilization of the adjacent creek and wetland environment.

Under the heading System 2: Economic Development, the Plan states the Commission will foster a healthy economy. This is to be achieved with an emphasis upon redevelopment and infill development while minimizing greenfield development. The proposed residential community is consistent with this statement. The creation of a new residential community of 469 households within a previously developed portion of Harmon Meadow will provide additional spending power that can support the merchants, service providers and retailers located within Harmon Meadow Plaza and Mill Creek Mall, downtown Secaucus, as well as others located throughout the Meadowlands District area.

Residents' shopping trips from the proposed residential community to Harmon Meadow merchants will not place any additional strain on the District's circulation infrastructure as residents will be able to satisfy their shopping needs within Harmon Meadow. When future residents of the proposed development do venture beyond the limits of Harmon Meadow they will have a full range of public transportation options from which to choose. This ability to capitalize on existing mass transit investments is one of many compelling reasons to authorize the redevelopment of this unique site which is currently serviced by a full range of infrastructure systems.

System 4 addresses District housing concerns. Under this heading the Master Plan states that, "The District's housing inventory would benefit from a more balanced mix of housing types and costs". As documented in sections of the Master Plan, the District's current housing stock is dominated by older detached and attached single- and two-family homes. The proposed residential community at Harmon Meadow will help achieve this goal of a more balanced housing mix by expanding the type and range of housing mix and affordability available in the District.

Strategy 1 identified for the Housing System is to permit the creation of additional housing units in existing residential areas or mixed-use developments. The proposal to create a residential community within the mixed-use Harmon Meadow development is consistent and furthers this strategy. Harmon Meadow at the present time is a mixed-use development without a housing component. By approving the construction of housing on this site, the Meadowlands Commission will be expanding the types of uses within this mixed-use development, thereby creating a full mixed-use development as originally envisioned in Harmon Meadow.

Strategy 3 is to spur the production of affordable housing. As part of the redevelopment, Developer, in conjunction with the Town of Secaucus, will provide affordable housing in accordance with COAH Requirements. The proposed development will expand the existing housing stock base which the Meadowlands Master Plan recognizes does not serve all components of the Meadowlands population equally. The proposed development, although not restricted to older residents will be constructed in full compliance with New Jersey's Barrier-Free Sub-code, thereby ensuring access by frail or older residents. A certain percentage of units will be easily adaptable to the specialized housing needs of the senior population. Older residents will be welcome to reside at Harmon Meadow.

#### **4. District Zone Regulations of the Hackensack Meadowlands District**

The Regulations of the Hackensack Meadowlands District are intended to achieve 16 stated purposes. These purposes are codified in §19-4-1.2 and set forth below.

- To provide for the orderly and comprehensive development of the District, consistent with the carrying capacity of the land and the preservation of critical wetland areas in accordance with the Master Plan of the New Jersey Meadowlands Commission (NJMC);
- To consider the ecology of the District in order to protect the delicate environmental balance therein;
- To promote the conservation of open space and valuable natural resources and to prevent sprawl and degradation of the environment through improper use of land;
- To preserve an ecological balance between natural and open areas and development;
- To promote the establishment of appropriate population densities and concentrations in suitable locations that will contribute to the well-being of persons, neighborhoods and communities;

- f. To provide sufficient space in appropriate locations for a variety of industrial, warehouse, office, retail, residential, recreational, water dependent, and other uses, including mixed uses;
  - g. To provide that such uses are suitably sited and placed in order to secure safety from fire, flood and other natural and man-made disasters, provide adequate light and air, prevent the overcrowding of land and undue concentration of population, prevent traffic congestion, and, in general, relate buildings and uses to each other and to the environment so that aesthetic and use values are maximized;
  - h. To promote development in accordance with good planning principles that relates the type, design and layout of such development to both the particular site and surrounding environs;
  - i. To promote a desirable visual environment through building design and location;
  - j. To provide for infrastructure and utility improvements of the land adequate to serve the uses to be developed on that land;
  - k. To encourage the location and design of transportation routes that will promote the adequate flow of traffic and minimize congestion;
  - l. To encourage the development of a variety of transportation modal choices and to decrease dependence on automobiles as the primary means of transportation;
  - m. To protect the District from air, water, noise and other types of pollution;
  - n. To control surface water runoff and prevent flooding and other damage to land and to encourage the control of soil erosion and sedimentation;
  - o. To encourage coordination of various public and private activities shaping land development with a view toward lessening the cost of such development and promoting the more efficient use of land; and
  - p. To promote sustainable green building practices in accordance with U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) guidelines.
- A careful review of these 16 stated purposes reveals that the proposed residential community is consistent with and furthers many of these purposes. Likewise it is true that the proposed residential community is not in conflict with any of the 16 purposes of the District's zone regulations.
- As reflected on the Meadowlands Commission Official Zoning Map, last revised and adopted on January 20, 2009, the Harmon Meadow site is located within the Regional Commercial zone. The Regional Commercial zone is one that
- "Contains large-scale commercial development proximate to major roadways and is designed to accommodate a range of uses serving a regional market area. Development in the zone should incorporate regional retail facilities and large-scale commercial employment centers."
- Pursuant to §19-4.5-52 of the District Zone Regulations of the Hackensack Meadowlands District, permitted uses within the Regional Commercial zone are as follows:
- a. Banks;
  - b. Business services;
  - c. Commercial recreation, indoor;
  - d. Commercial recreation, outdoor;
  - e. Convention centers;
  - f. Cultural facilities;

- g. Day care facilities;
- h. Health care centers;
- i. Hotels and motels;
- j. Movie theaters;
- k. Offices;
- l. Parks or recreation facilities;
- m. Personal services;
- n. Public utility uses, light
- o. Restaurants;
- p. Retail;
- q. Self-storage facilities; and
- r. Social services.

Special exception uses permitted in the Regional Commercial zone include the following:

- a. Communications transmission towers;
- b. Essential public services; and
- c. Helistops.

The existing primary use presently occurring on the site is not one of the permitted or special exception uses allowed within the Regional Commercial zone. The existing wholesale/warehouse use is also a use that is not consistent with the stated purposes of the zone. These uses were at one time permitted under prior regulations when the property was included in the former Research Park Zone. Therefore by the NJMC approving the transformation of the PQ into a residential community, a non-conforming use will be removed from the site and eliminated.

Bulk development standards applicable to the Regional Commercial Zone are shown in the accompanying table.

Table 1: Area and Bulk Requirements – Regional Commercial Zone

Bulk Requirements	Permitted
Minimum Lot Area (ac)	3
Minimum Lot Width (ft)	300
Minimum Front Yard Setback (ft)	50
Minimum Side Yard Setback (ft)	40
Minimum Rear Yard Setback (ft)	30
Maximum Lot Coverage (%)	40
Minimum Open Space (%)	20
FAR *	0.75
Minimum Finished Floor Elevations	For structures within designated 100-year flood zones, finished floor elevation shall be established one foot above applicable 100-year base flood elevations determined by FEMA Flood Insurance

Source: Table 4-1 District Zone Regulations of the Hackensack Meadowlands District.

\* Excludes floor area of parking garages, restaurants, hotels and motels.



Notwithstanding the District Zone Regulations of the Hackensack Meadows District, the Interim Policies Governing Affordable Housing Development in the Meadows District require that prior to the issuance of a zoning certificate, each applicant shall analyze the particular site in question to determine if said site is suitable for the construction of housing based on six identified factors.

#### Affordable Housing Site Suitability Analysis

A site may be deemed suitable for housing only if the site in question complies with all of the six following criteria:

- i. The site is adjacent to compatible land uses and has access to appropriate streets;
- ii. The site has access to water and sewer infrastructure with sufficient capacity;
- iii. The site can be developed consistent with the rules of the NJMC;
- iv. Former and existing land uses, either on the site or in the vicinity, may not expose residents to environmental hazard. Alternatively, the site shall be remediated to NJDEP residential standards as a condition of the Board's approval;
- v. The size, shape, or layout of any existing structures that shall remain, or other physical limitation(s) not listed previously, do not preclude residential use; and
- vi. The site is suitable for residential use pursuant to sound planning principles.

Upon the completion of our analysis, we have determined that this 13.64 acre site located at the extreme northeastern periphery of Harmon Meadow is suitable for the construction of a residential community for a multitude of reasons. The following section of this report will detail the basis for this conclusion.

i. *The site is adjacent to compatible land uses and has access to appropriate streets.*

This site fronts upon Plaza Drive, a four lane roadway consisting of a center median, curbs, sidewalk, shade trees and drainage improvements. This well maintained road, which is of a modern design, provides easy access to Paterson Plank Road, Harmon Meadow Boulevard, State Highway Route 3 and in very close proximity, the New Jersey Turnpike. These roadway connections will provide future residents with easy, safe and convenient access to the many employment, shopping, educational and cultural opportunities that exist within Harmon Meadow and throughout the greater northern New Jersey area, including access to New York City via both mass transit and passenger vehicle.

Future residents of the community however will not be dependent upon private automobiles for mobility. New Jersey Transit offers a wealth of transit opportunities to prospective residents. New Jersey Transit presently offers frequent bus service into the Harmon Meadow development. In addition, convenient bus shuttle service to the nearby Frank R. Lautenberg Rail Station at Secaucus Junction is provided. Secaucus Junction created a regional rail system by connecting the Pascack Valley, North Jersey Coast, Morristown, Northeast Corridor, Main, Bergen County, Gladstone, Raritan Valley, Port Jervis and Montclair-Boonton lines. As is the case with the area's roadway infrastructure, the area's public transportation infrastructure will provide easy, safe and convenient access throughout the greater northern New Jersey region, including New York City.

The PQ located at the northeast corner of Harmon Meadow is adjacent to compatible land uses. To the north and east are large areas of open water and wetlands that will offer future residents passive open space and recreational opportunities. It is likely that these open space and recreational opportunities will only be further enhanced with time as they are within the Environmental Conservation zone of the NJMC.

Although a part of Harmon Meadow, the PQ is visually and functionally separated from the heavier commercial components of this mixed-use development. To the west a vegetated drainage canal separates and buffers the community's future residents from the Walmart and Sam's Club development.

To the south Park Plaza Drive, separates the PQ from the balance of Harmon Meadow. Much of the more intense retail oriented development associated with Harmon Meadow has been located in the southern portion of the site and closer to Paterson Plank Road and Route 3. The big box shopping experience offered by the Mall at Mill Creek remains convenient to residents as it is part of Harmon Meadow but is located west of the New Jersey Turnpike.

Harmon Meadow will offer residents of the proposed community shopping, employment, eating and drinking, lodging, recreational and transportation opportunities and options without ever leaving the larger complex of which they are a part.

Therefore this first criterion is satisfied by offering future residents multiple convenient mobility options in the midst of a supportive environment defined by compatible adjacent but buffered land uses.

ii. *The site has access to water and sewer infrastructure with sufficient capacity.*

United Water New Jersey (UWNJ) has a state issued franchise to distribute potable water throughout the Town of Secaucus. Currently this company provides water to the users in Harmon Meadow and the PQ. UWNJ provides water service, both for domestic purposes as well as firefighting purposes to the existing mixed warehouse/office building.

Treatment of domestic waste generated in Secaucus is the responsibility of the Secaucus Municipal Utilities Authority (SMUA). Currently this Authority treats the domestic waste generated from Harmon Meadow, including the occupants of the existing building. The SMUA will provide treatment and processing of domestic sewage generated from the proposed residential community to be developed in Harmon Meadow.

Based on the above factors, it is clear that the contemplated residential community will have access to adequate water supply infrastructure. Equally clear is that the infrastructure necessary to process and treat domestic waste generated from future residents has already been constructed and is in place. In addition the purveyors of these vital utilities both have more than adequate built capacity to service the proposed development's residents.

Therefore this second Interim Policy criterion is satisfied and does not present obstacles to the construction of a residential inclusionary development on the PQ.

iii. *The site can be developed consistent with the rules of the NJMC.*



The current development of the subject site was constructed on the PQ in accordance with the Meadowlands Commission's former Light Industrial and Distribution "A" Zone. This zone designation no longer pertains to the PQ. The existing on-site uses are no longer permitted uses as they are not included among the list of permitted or special exception uses adopted for and applicable to the Regional Commercial zone.

This 13.6-acre site is located within the Regional Commercial zone district of the Meadowlands District. As discussed above the intent of this zone is "designed to accommodate a range of uses serving a regional market area. Development in the zone should incorporate regional retail facilities and large-scale commercial employment centers."

The Interim Policies are the controlling instrument within the Meadowlands District with respect to all land development activities. Within these Interim Policies is a lengthy list of zones that the Meadowlands Commission has determined are unsuitable for housing. The Regional Commercial zone is not one of the zones where housing has specifically been excluded by the Interim Policies. This strongly suggests that after review it was determined by the Meadowlands Commission that some properties in this zone remain appropriate for housing. The subject lot, located in the far reaches of Harmon Meadow, is one such lot.

Permitted land uses in the Regional Commercial zone are intended to carry out the intent and purpose of the District as expressed through the Meadowlands Master Plan. As more fully described in an earlier section of this report, the proposed residential development on the PQ furthers no less than four specific goals contained within the Meadowlands Master Plan. In addition, residential development on the PQ furthers no less than six specific purposes contained within the District Zone Regulations as adopted by the NIMC.

More specifically, the development of an inclusionary rental housing community on the subject parcel is consistent with and furthers multiple purposes of the District Zone Regulations of the Meadowlands District including:

- a. To provide for the orderly and comprehensive development of the District, consistent with the carrying capacity of the land and the preservation of critical wetland areas in accordance with the Master Plan of the New Jersey Meadowlands Commission (NJMC);
- d. To preserve an ecological balance between natural and open areas and development;
- e. To promote the establishment of appropriate population densities and concentrations in suitable locations that will contribute to the well-being of persons, neighborhoods and communities;
- f. To provide sufficient space in appropriate locations for a variety of industrial, warehouse, office, retail, residential, recreational, water dependent, and other uses, including mixed uses; and
- g. To provide that such uses are suitably sited and placed in order to secure safety from fire, flood and other natural and man-made disasters, provide adequate light and air, prevent the overcrowding of land and undue concentration of population, prevent traffic congestion, and, in general, relate buildings and uses to each other and to the environment so that aesthetic and use values are maximized;

- h. To promote development in accordance with good planning principles that relates the type, design and layout of such development to both the particular site and surrounding environs.

Therefore this third Interim Policy criterion is satisfied and does not present obstacles to the construction of a residential inclusionary development on the PQ.

- iv. *Former and existing land uses, either on the site or in the vicinity, may not expose residents to environmental hazard. Alternatively, the site shall be remediated to NJDEP residential standards as a condition of the Board's approval.*

Through the years, a number of environmental studies have been performed on the environmental conditions affecting and adjacent to the PQ. Each of these studies has found that the site is free of environmental hazards and contamination. There are no known environmental hazards present on or in the immediate vicinity of the PQ which has been developed with a carpet wholesale operation with ancillary office uses.

Therefore this fourth Interim Policy criterion is satisfied and does not present obstacles to the construction of a residential inclusionary development on the PQ.

- v. *The size, shape, or layout of any existing structures that shall remain, or other physical limitation(s) not listed previously, do not preclude residential use.*

Upon removal of the existing buildings from this site there will be no need to design around any existing structures as the PQ will be transformed into vacant site. Future development activities will be limited to only that portion of the site that is currently developed. This portion of the 13.6-acre site, which contains no topographic barriers to construction, will be available for construction of the proposed residential community.

The site has 455 feet of frontage and is nearly rectangular in its configuration. The site is connected to both sewer and water infrastructure. There are no environmental hazards on site. Surrounding land uses are compatible to the contemplated residential use. There are no physical limitations to redevelopment of the southern portion of this site as an inclusionary residential community.

Therefore this fifth Interim Policy criterion is satisfied and does not present obstacles to the construction of a residential inclusionary development on the PQ.

- vi. *The site is suitable for residential use pursuant to sound planning principles.*

This is the final criteria established and utilized by the Meadowlands Commission to determine if a site is suitable for the development of affordable housing.

For a number of reasons planning direction in New Jersey has migrated away from so-called greenfield development patterns. It has become accepted by the planning and regulatory communities that continued greenfield development is inefficient, costly, harmful to the environment, energy wasteful and unsustainable.

In lieu of greenfield development, the regulatory community's focus is on promoting and encouraging what has been described as "smart growth". Smart growth has been endorsed and supported by the State of New Jersey, especially the Department of Community Affairs and the United States Environmental Protection Agency. More importantly, as discussed in an earlier section of this report, Smart Growth principles have been endorsed and adopted by the Meadowlands Commission.

As detailed and endorsed within the Meadowlands Master Plan, the United States Environmental Protection Agency's Office of Sustainable Communities with the assistance and cooperation of the Smart Growth Network, has established Smart Growth Principles. The redevelopment of this site from its current use to that of a rental residential community serves and furthers multiple smart growth principles as set forth below:

- o Mix land uses;
- o Take advantage of compact building design;
- o Create a range of housing opportunities and choices;
- o Create walkable neighborhoods;
- o Preserve open space, natural beauty and critical environmental areas;
- o Strengthen and direct development towards existing communities; and
- o Provide a variety of transportation choices.

The proposed residential redevelopment of the PQ furthers each of the above listed principles. By way of example, at the present time although Harmon Meadow is a diverse mixed-use complex it contains no housing. Construction of the proposed residential community of 469 dwelling units will broaden the range of uses within Harmon Meadow.

The applicant's design rejects sprawl type development for a compact building arrangement of suitable and appropriate density to permit a reasonable number of families to occupy the community without encroaching either into more intensely developed portions of Harmon Meadow or into the adjacent wetland areas. Appropriate supporting amenities will also be provided by the developer.

Harmon Meadow is presently a walkable, compact, mixed-use, non-residential community with a complete pedestrian circulation system in place. The residents of the proposed community will be encouraged to take advantage of this infrastructure and walk to Harmon Meadow's offerings including the Mill Creek Marsh, access to public mass transit such as the bus stops and the shuttle to the Frank Lautenberg Rail Station at Secaucus Junction.

This proposed residential community is to be constructed on a site that has been continuously developed since the mid-1980's. The quantity of impervious surfaces will actually be reduced after redevelopment as compared to current conditions. The development of the proposed community can proceed without adversely affecting potentially environmentally sensitive greenfields. Redevelopment of the PQ from a non-conforming non-residential use to an attractive and diverse rental residential community furthers the NJMC goal of creating compact, mixed-use communities consistent with smart growth principles.

Future residents of this proposed community will have more transportation options, including walking to mass transit connections including bus and train service than many households residing in northern New Jersey. Once residents arrive by shuttle at Secaucus Junction they can ride a train for employment or other reasons on any one of 10 train

lines operated by New Jersey Transit. There are also opportunities to ride one of the many New Jersey Transits' bus lines that service Secaucus Junction.

Therefore this sixth Interim Policy criterion is satisfied and does not present obstacles to the construction of a residential inclusionary development on the PQ.

### Conclusion

The PQ is extremely suitable for the development of housing, as the site is consistent and compatible with all six of the site suitability benchmarks contained within the Interim Policies. This is demonstrated in earlier portions of this report and summarized below:

1. The site is adjacent to compatible land uses.
2. The PQ has access to water and sewer infrastructure with sufficient capacity to serve the proposed residential development.
3. The PQ can be developed for housing consistent with and compatible to the policy statements and regulations of the NJMC. The NJMC Master Plan calls implementing smart growth and creating sustainable development patterns. These two policy prescriptions are expressed through the construction of mixed use, compact walkable communities that include a range of housing types, styles and prices. The applicant is committed to producing just that type of development model at the PQ.
4. Development of a residential community on the PQ will not expose future residents to environmental hazards or contamination.
5. The size, shape, and location of the PQ is very supportive of developing a residential community at the northern edge of Harmon Meadow. The layout and use of existing physical structures that are to remain in Harmon Meadow are well buffered from the contemplated residential community and thus do not preclude the introduction of residential use onto the PQ. In fact these adjacent uses assist in qualifying the redevelopment of the PQ as an example of smart growth.
6. This site is suitable for residential uses pursuant to sound planning principles and NJMC's own planning and regulatory documents.

Based upon the foregoing, the Developer respectfully requests that the Meadowlands Commission determine that the PQ is suitable for redevelopment for housing.



## Appendix C

### Additional Documentation

- Developer's Agreement between 100 Park Plaza Drive, LLC and the Town of Secaucus, dated July 2013.
- Town of Secaucus Resolution Authorizing Execution of a Developer's Agreement between 100 Park Plaza Drive, L.L.C. and the Town of Secaucus, dated July 3, 2012.
- Resolution of the Board of Education, Town of Secaucus, County of Hudson, State of New Jersey, dated July 3, 2012.
- Project Impact Assessment for a Proposed Residential Building to be Constructed at Park Plaza, Secaucus, Hudson County, New Jersey, prepared by Burgis Associates, Inc., dated July 31, 2013, last revised January 10, 2014.

RECEIVED/NUMC  
AUG 31 2012  
DEVELOPER'S AGREEMENT  
BETWEEN  
100 PARK PLAZA DRIVE, LLC  
AND  
THE TOWN OF SECAUCUS  
LAND USE MANAGEMENT

THIS DEVELOPER'S AGREEMENT ("Agreement") is made this \_\_\_\_ day of July, 2012, by and between 100 Park Plaza Drive, LLC ("Developer"), a limited liability company of the State of New Jersey, having its principal office at 400 Plaza Drive, Secaucus, New Jersey 07094 and the Town of Secaucus (the "Town"), having its principal office at the Municipal Building, Paterson Plank Road, Secaucus, New Jersey 07094.

#### RECITALS

#### WITNESSETH:

WHEREAS, Developer is the owner of the property designated as Block 227, Lots 4.03 and 4.04 (the "Property"), which property is located at 100 Park Plaza within the Harmon Meadow Development; and

WHEREAS, Developer proposes to redevelop the Property for residential use to contain up to 500 residential units; and

WHEREAS, Developer and the Town wish to enter into a Developer's Agreement to address anticipated impacts upon municipal and education services and facilities; and

WHEREAS, by resolution of the Town Council dated July 3, 2012, the Town authorized the execution of a Developer's Agreement with Developer ("Resolution");

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

#### ARTICLE I

#### PROPOSED DEVELOPMENT

##### Section 1.1 Projected Number of Residential Units

A. Developer is in the process of preparing plans for the redevelopment of the Property. The Property has an area of 13.64 acres and is currently developed as a warehouse/wholesale facility. Developer, pending final design, is proposing to redevelop the Property with up to 500 residential rental units, including any affordable units that may be required to be built on-site.

B. Developer agrees to comply with all applicable C.O.A.H. requirements and to enter into any agreements with the Secaucus Affordable Housing Board necessary pursuant to C.O.A.H. Regulations.

C. With the exception of any 3 bedroom units required to comply with C.O.A.H., the Project will not include any units with 3 or more bedrooms.

D. Exclusive of any 3 bedroom units required by C.O.A.H., approximately 55% of the market rate units will be studio and 1 bedroom units and approximately 45% 2 bedroom units.

## ARTICLE II

### PROJECT IMPACT FEE

#### Section 2.1 Impact Fee

Consistent with the findings of the Project Impact Assessment and to further mitigate potential fiscal impacts of the Project upon municipal and education services and facilities within the Town, Developer shall pay to the Town an Impact Fee ("Impact Fee"). The Impact Fee shall have two (2) components as detailed below and shall be payable as follows:

A. Developer shall pay to the Town the amount of \$3,200.00 per unit for each market-rate unit constructed (i.e. excluding affordable units). Impact Fee payments shall be made upon receipt of a Certificate of Occupancy for the Project or if the Project is undertaken in phases, the Impact Fee payment shall be made upon the receipt of a Certificate of Occupancy for the number of units contained in each phase of the Project.

B. Upon execution of this Developer's Agreement, the Town shall have the right to request in writing that the Developer make payment of an additional Impact Fee in support of the Town's education program. This additional Impact Fee shall be in the amount of \$97,000.00 and shall be made by Developer within 10 days of the receipt of the Town's written request for the payment.

## ARTICLE III

#### Section 3.1 Certified Mail

Any notice to be sent by either party to the other shall be sent by certified or registered mail, return receipt requested.

#### Section 3.2 Sent by Town

When sent by the Town to Developer, the notice shall be addressed to:

General Counsel  
Hartz Mountain Industries, Inc.  
400 Plaza Drive  
Secaucus, New Jersey 07094

With a copy sent to:

Ivin A. Horowitz, Esq.  
Horowitz, Rubino & Patton  
400 Plaza Drive  
Secaucus, New Jersey 07096

Unless prior of giving of notice, Developer shall have notified the Town in writing otherwise.

#### Section 3.3 Sent by Developer

When sent by Developer, it shall be addressed to:

Municipal Clerk  
Town of Secaucus  
Municipal Building  
Paterson Plank Road  
Secaucus, New Jersey 07094

With separate copies sent to the Town Counsel and the Mayor of the Town of Secaucus.

## ARTICLE IV

### COOPERATION OF PARTIES

#### Section 4.1 Cooperation

The Town and Developer agree to cooperate and work with each other in support of any applications or petitions filed with any governmental entity, including the New Jersey Department of Environmental Protection and the New Jersey Meadowlands Commission, necessary for the approval and development of the Project.

## ARTICLE V

### SEVERABILITY

#### Section 5.1 Severability

If any term, covenant or condition of this Agreement shall be judicially declared to be invalid or unenforceable, the remainder of this Agreement or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term, covenant or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

## Section 6.1 Entire Agreement

## ARTICLE VII

### BINDING EFFECT

This Agreement shall be binding upon the Town and the Developer and their successors and assigns.

ATTEST:

By:

ATTEST:

By:

**Michael Marra**  
Town Clerk

## AND THE TOWN OF SECAUCUS

WHEREAS, 100 Park Place Drive L.L.C. desires to construct the project to include no more than 500 luxury residential rental units; and

WHEREAS, 100 Park Place Drive L.L.C. has agreed that any affordable requirement will be inclusive of the 500 units; and

WHEREAS, 100 Park Place Drive L.L.C., has agreed that approximately 55% of the units will be studio and one bedroom units and approximately 45% two bedroom units, exclusive of the bedroom distributions required by C.O.A.H.; and

WHEREAS, the developer has agreed to pay the Town of Secaucus \$97,000 to purchase two school buses upon the signing of said developers agreement; and

NOW, THEREFORE, be it resolved that the Administrator is authorized to negotiate and sign a developers agreement that memorializes the above referencecitations as if set forth in their entirety herein.

Mayor

Model	SP	Yes	No	Abstain	Abstain
Baseline	W/A				✓
Canadiana Carotino		✓			
Canadiana Midway		✓			
Canadiana Chary		✓			✓
Canadiana Pure		✓			
Delayed Midway Baseline					✓
Midway Canadiana		✓			

R.I.

RESOLUTION OF THE BOARD OF EDUCATION  
TOWN OF SECAUCUS, COUNTY OF HUDSON  
STATE OF NEW JERSEY

INTRODUCED BY: Mr. Lewis

SECONDED BY: Mrs. Snelaker

RESOLUTION

WHEREAS, the Secaucus Board of Education ("Board") has learned that a developer, 100 Park Place Drive, LLC ("Developer"), intends to construct a luxury rental project ("Project") in the Town of Secaucus ("Town"), and that said development may include up to 500 rental units comprised of, among other things, studio apartments, one bedroom and two bedroom apartments, exclusive of any Council on Affordable Housing ("COAH") requirements; and

WHEREAS, the Town has entered into negotiations with the Developer to execute a Developer's Agreement, which would result in the Developer paying the Town \$97,000 to purchase two school buses, plus an impact fee of \$3,200 per market rate unit; and

WHEREAS, the Town has agreed that the above amounts will be provided to the Board for the purpose of expanding the Secaucus Middle School;

NOW, THEREFORE, BE IT RESOLVED that the Board, in light of the proposed agreement between the Town and the Developer as detailed above, hereby expresses its support of the Project; and

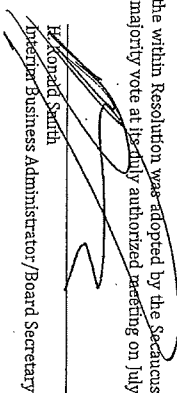
BE IT FURTHER RESOLVED that the Board shall work cooperatively with the Town in an effort to utilize portions of the proceeds from the increased tax revenue generated by the development to defray a portion of any debt service incurred due to any expansion of the Secaucus Middle School.

ROLL CALL VOTE:

AYES: 8  
NAYS: 0  
ABSTENTIONS: 0

CERTIFICATION

I hereby certify that the within Resolution was adopted by the Secaucus Board of Education by a majority vote at its duly authorized meeting on July 3, 2012.

  
H. Ronald Smith  
Superintendent/Business Administrator/Board Secretary

Dated: July 3, 2012

I hereby certify that this is a true and correct copy of a resolution duly adopted by the Secaucus Board of Education at its Regular meeting on